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Date: April 14, 2008

By:

Anna M. Pignatoni

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Mary Southam, et al.

Serial No: 09/781,041

Filed: 02/09/2001

US Patent No: 6,425,892

Granted: 07/30/2002

Title: DEVICE FOR TRANSDERMAL
ELECTROTRANSPORT DELIVERY OF
FENTANYL AND SUFENTANIL

Confirmation No. 9235

Examiner: Mark Bockelman

Group Art Unit: 3762

Attorney Docket No:
ARO7828USA

Mail Stop Hatch-Waxman PTE
Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

In Re: Patent Term Extension Application for U.S. Patent No. 6,425,892

Dear Commissioner:

In response to the Notice of Final Determination ("Notice") for Patent Term Extension application for U.S. Patent No. 6,425,892 mailed January 16, 2008, ALZA Corporation, patent owner of record, hereby petitions for a two-month extension of time under 37 C.F.R. § 1.136(a).


The Notice provided a response period of two months from the January 16, 2008 mailing date for filing a single request for reconsideration, the response period being extendable under 37 C.F.R. § 1.136. The two-month extension-of-time requested herein will extend the response date from April 16, 2008 to May 16, 2008.

A Petition for one-month extension of time was submitted on 03/14/2008 with authorization to charge the requisite fee from our deposit account No. 10-0750. Thus, it is requested that a fee of \$340.00 for the difference of payment for a two-month extension and for a one-month extension be charged at this time.

The Commissioner is hereby authorized to charge the corresponding extension of time fee pursuant to 37 C.F.R. § 1.136(a), and any other required fee in connection with this communication, to Deposit Account No. 10-0750. Any deficiency or overpayment should be charged or credited to the above numbered deposit account.

Respectfully submitted,

Dated: April 16, 2008


Philip Yip
Registration No. 37,265
Attorney for Applicant
Customer No. 27777

ALZA Corporation
c/o Johnson & Johnson
One Johnson & Johnson Plaza, WH 3221
New Brunswick, NJ 08933
Phone: 650-564-7054
Fax: 650-564-2195

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) ARO7828USA	
In re Application of Mary Southam, et al.			
Application Number 09/781,041		Filed 02/09/2001	
For DEVICE FOR TRANSDERMAL ELECTROTRANSPORT DELIVERY OF FENTANYL AND GUFENTANYL			
Art Unit 3762		Examiner Mark Bockelman	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- | | |
|--|-----------|
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1)) | \$ _____ |
| <input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$ 340.00 |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | \$ _____ |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) | \$ _____ |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) | \$ _____ |

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ _____.
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 10-0750.

I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor.

- ☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).
- ☒ attorney or agent of record. Registration Number 37,265
- ☐ attorney or agent under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a) _____

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

April 14, 2008

Date

650-564-7054

Telephone Number

Signature

Philip YIP

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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1010 JOAQUIN ROAD, MOUNTAIN VIEW, CA 94043

FACSIMILE TRANSMITTAL SHEET

TO: MAIL STOP HATCH-WAXMAN PTE
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND
TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

FROM: PHILIP YIP

FAX: (571)-273-7728

COMPANY:
ALZA CORPORATION

DATE:
April 14, 2008

FAX NUMBER:
650-564-2195

TOTAL NO. OF PAGES INCLUDING COVER:
5

PHONE NUMBER:
650-564-4157

SENDER'S REFERENCE NUMBER:
ARO7828USA

☒ URGENT

☐ FOR REVIEW

☐ PLEASE COMMENT

☒ PLEASE REPLY

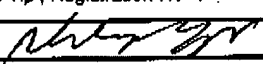
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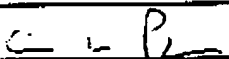
RE: PATENT TERM EXTENSION US PATENT NO. 6,425,892
(SEE ATTACHED)

If there is an error with this transmission or if all referenced attachments are not received, please call the sender, Anna Pignaloni 650-564-4157.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/781,041	
	Filing Date	02/09/2001	
	First Named Inventor	Larry A. McNichols	
	Art Unit	3782	
	Examiner Name	Mark Bockelman	
Total Number of Pages in This Submission	4	Attorney Docket Number	ARQ7828USA

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	1. Patent Term Extension Application for US Patent No. 6,425,892
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Alza Corporation Philip Yip, Registration No. 37,265	
Signature		
Date	April 14, 2008	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
transmitted via facsimile - fax no.: 571-273-7728		
Typed or printed name	Anna M. Pignatoni	
Signature		Date April 14, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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